



Lincoln
University

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FACULTY RECRUITMENT AND HIRING GUIDELINES

“There are few activities in which we engage that have more powerful public impact than searches. Every search committee leaves in its wake candidates whose impression [of LU] will be based largely on the courtesy, timeliness, and professionalism of our communications. Furthermore, the way searches are conducted speaks volumes about our individual and institutional values.”

Caroline Turner. (2002).

Office of Faculty Affairs
(484) 365-7136
Vail Hall, Room 105
facultyaffairs@lincoln.edu

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***These forms can be found on the Office of Faculty Affairs' website.**

FACULTY RECRUITMENT AND HIRING GUIDELINES

Introduction

Faculty searches are among the most serious undertakings at Lincoln University (LU) – strong diverse faculties have always been the pillars of any distinctive institution of higher learning. To that end, the *Faculty Recruitment and Hiring Guidelines* handbook was developed to support effective academic searches on behalf of recruiting and hiring the best and brightest diverse faculty to join our distinctive academic community. Faculty hiring is coordinated through the Office of Faculty Affairs (OFA).

To support the building of strong, competitive and diverse faculties, all faculty searches should be planned and conducted September through May of each academic year; planning should commence immediately upon notification of position allocations. Adherence to this timetable makes possible optimum input from faculty and further allows related hiring processes to be completed in a timely manner (e.g., credential verification, background checks, visa petitions for foreign nationals, etc.). To assist hiring managers and search committees, OFA in collaboration with CETL will conduct various trainings throughout the academic year on topics such as *Regulations for Hiring Foreign Nationals*. Search committees are strongly encouraged to contact the OFA and the Office of Institutional Equity at the beginning of each search to plan search strategies.

The Search

Although the recruitment process may be different for each category of faculty, chairs are responsible for all faculty searches within their department including tenure track, term appointed, and visiting and adjunct faculty. These guidelines address university-wide faculty hiring policies and procedures.

Annual Position Allocation

This is an annual list of faculty positions approved by the Provost/Vice Chancellor for Academic Affairs. The list is given to Dean of the Faculty before the start of each academic recruiting season, which also serves as the authorization for OFA to execute recruitment-related activities including posting positions to “**Newton**”, funding candidate travel, and contract generation.

Search Committee

Department chairs are responsible for convening search committees to review and update position descriptions, determine candidate qualifications, clearly define selection criteria, discuss recruitment strategy, and execute all approved faculty searches within his/her department. A search committee chair should be confirmed at the same time the search committee is appointed. In an effort to ensure compliance and recruit a diverse and qualified pool of candidates, the search committee chair should schedule an orientation with the Director of Institutional Equity before the committee engages in their work.

Search committees must ensure that all portions of the application and interview process are accessible to persons with disabilities.

Faculty Recruitment Plan

Plans should be completed by the department chair in consultation with the search committee chair and the Dean of Faculty. Dean’s approval of the plan is required. Consideration should be given as to

whether a position is underutilized for populations established in the university's Equal Employment Opportunity and Affirmative Action Plan. Contact the Office of Institutional Equity for more information on underutilization at LU. The approved plan must be submitted to OFA by the search committee chair before the position can be posted to "**Newton**". *Confidentiality Agreement* forms must be signed by individual search committee member and submitted along with Faculty Recruitment Plan to OFA. *Note*: No search can be approved for posting on "**Newton**" without an approved position number as listed on the provost's annual position allocation list.

The chair/hiring manager is responsible for creating the position description in "**Newton**", which is then automatically forwarded to the Dean of Faculty for approval, and next automatically forwarded to OFA for review and activation for posting to the LU Jobs website and Inside Higher Ed Jobs. Please proofread submissions carefully before forwarding to the Dean and the OFA for posting.

Recruitment Advertising

Printed (electronic and paper) advertising should be strategic and deliberate to yield a diverse and sufficient pool of qualified candidates. All advertising must include the following statements:

Lincoln University is an equal opportunity/affirmative action employer and welcomes all persons without regard to sexual orientation. Individuals with disabilities desiring accommodations in the application process should contact <department contact name, email address, phone/fax numbers and text telephone number (TTY) if available>.

Advertising sources should be listed on the recruitment plan and include industry specific suggestions. See appendices for "Leveraging Diverse Recruiting Resources."

The OFA and HR will manage the following advertising for each approved faculty search:

- Higher Ed Jobs - electronic publication (automatic and connected with "**Newton**")
- Inside Higher Education - electronic publication
- Chronicle of Higher Education - OFA will place University-wide advertisements in at the beginning of each recruitment season
- LiberalArtsFacultyJobs.com - based on available funding
- Industry specific - based on available funding
- Insight into Diversity
- American Association of University Women
- The Minority and Women Doctoral Directory
- Hispanic Outlook in Higher Education
- Careers and the Disabled
- The Black Collegian Online

Interim Pool Report

Following initial screening of applications in alignment with the position description, the search committee chair must prepare a brief narrative justification of candidates *not* selected for a campus interview. The report should be submitted electronically to facultyaffairs@lincoln.edu along with Short List Report.

Short List Report

Following telephone interviews and any additional screening, the search committee chair should submit a list of proposed candidates for campus interviews with a brief narrative about qualifications in alignment with the position description. The report must include CVs for all short list candidates and should be submitted electronically to: facultyaffairs@lincoln.edu.

Candidate Interviews

Conducting Telephone Interviews

Telephone interviews are utilized as an intermediate screening step to assist the search committee in determining who will be selected for on-campus interviews. The search committee should develop a structured and uniform plan for conducting the telephone interviews consistently. Prior to the interviews, the search committee should establish a set of questions that will be asked of every candidate. This strategy promotes equity and fairness during the interview process. The most effective questions will be related to the position description, specifically job-related knowledge, skills, abilities, and duties. In an effort to avoid discriminatory and unlawful inquiries and behavior, the search committee should carefully review the “Do’s and Don’ts: Effective Interview Questions” in the appendices.

Documentation of all telephone interviews is required to be maintained in the search records.

Conducting Campus Interviews

Candidates invited for campus interviews should be selected based on the position description requirements, candidates’ qualification, and diversity objectives. A review of letters of recommendation and reference checks should be completed by the search committee prior to campus visits. Any questions or issues prompted by a reference check must be job related and consistent for all candidates. Remember, some inquiries are prohibited by law because they contribute to unfair or biased decisions. Refer to “Do’s and Don’ts: Effective Interview Questions” in the appendices.

- Focus on the requirements of the position description and the candidate’s ability to perform the essential functions of the job.
- Avoid assumptions based on perceived or actual race, ethnic background, religion, marital or familial status, age, disability, sexual orientation, veteran status, national origin, genetic information, or political affiliation.
- Develop and utilize a core set of questions related to the position requirements by which the candidates are to be evaluated consistently.
- If a candidate disclosed information that you are not allowed to ask, change the subject immediately. The excuse that the candidate disclosed information that you did not ask is not legally defensible. Do not pursue the topic.

Travel

Travel arrangements for candidate campus visits are the responsibility of the search committee. To promote fiscal responsibility, air travel arrangements should be secured no less than 14 days in advance of candidates’ campus interviews. Approval and funding for candidate visits will be allocated from OFA/HR after receipt of required Interim Pool and Short List reports.

Important Note: Notification & Release Authorization Form (background check) must be completed and submitted to OFA before any offer can be extended to candidates. Form should be given to candidates during campus visits and submitted to OFA. Offers of employment are contingent upon successful completion of background checks and timely authorization is essential to keep the search on track toward timely completion.

Recommendation to Hire

The search committee chair makes a written recommendation to the department chair. The chair makes a written recommendation to the Dean and VPAA and can then make an unofficial offer to candidate, contingent upon approvals from the Dean and provost. The Dean makes a written recommendation to the Provost and submits it to OFA.

Recommendation to the Provost should include:

- Letter of support from Dean
- Attached CV of recommended candidate

(Sample letters for each level of the recommendation process can be found in Appendices: Forms and Templates section.)

Hiring Proposal

After references have been checked and documented by the search committee, a background check is completed by HR, and the Provost has given OFA written permission to make an official offer, the search committee chair will be advised by OFA to complete a hiring proposal in “**Newton**” to generate the official offer letter and contract from the Provost.

The search committee chair must also submit the following information to OFA during the hiring proposal phase of the search:

- Posting from LU website (OFA will attach copy of external advertising)
- Application, letter of interest, and all other application materials (OFA will attach CV from search file)
- Evaluation and selection worksheet used to review all applicants and record reasons for recommendation/non-recommendation for hire
- Official Transcripts, recommendation letters, and proof of any required licenses and certifications
- Recommendation letter requirements: Assistant Professor, Instructor, and Lecturer – requires **3** letters; Associate Professor and Professor – requires **5** letters
- Search committee documents maintained outside the electronic/online system, including interview questions, committee meeting minutes, reference check questions, screening and selection worksheets, correspondence, itineraries, and any other evaluation forms/notes/score sheets (copies should be retained by the chair of the search committee and provided to IO/AA/HR upon request)

OFA will retain all search documentation and records for a period no less than two years.

Hiring with Tenure

Full dossiers of the selected candidate must be included with recommendation to the Provost. Letters of support of tenure from the senior faculty, chair, and Dean must also be included. Recommendation will be submitted to the Promotion and Tenure Committee. Final approval is required by the LU Board of Trustees.

Post-Appointment

The selected candidate must report to the OFA/HR prior to start date of employment to complete the following:

- 1-9 form (employment eligibility)
- Tax withholding form
- Payroll direct deposit instructions

New Faculty Orientation

New Faculty Orientation is conducted each August, before the start of each academic year. This orientation is developed to introduce new faculty to the Provost, expose them to key departments and support services, and to promote academic community building. The Department of Human Resources conducts a separate orientation to discuss benefits and other employee-related issues.

Hiring International Faculty

Because of the complexity of Federal laws regarding nonimmigrant employment in the United States, all employer-sponsored petitions must be approved in accordance with guidelines and procedures processed through the Office of Faculty Affairs and the Office of Human Resources. Search committees must familiarize themselves with these guidelines, which can be found on the [HR website](#).

It is important to note that at no time during the search process may a candidate be asked about their citizenship or national origin. However, candidates may be asked about their legal authorization to work in a specific position if this question is asked of all candidates. Additionally, after an unofficial offer has been made, it is permissible to ask candidates if they will need assistance to verify employment eligibility. H1-B visa and other related petitions can be time consuming and costly, which requires hiring managers to act in a timely manner to avoid delay or interruption in the hiring process.

Hiring Adjunct Faculty

Although formal search processes are not generally conducted, the following information is required by OFA to hire adjunct faculty:

- Completed Notification & Release (Background Check) – **MUST BE COMPLETED BEFORE ADJUNCT FACULTY CAN BEGIN TEACHING.**
- Temporary Personnel Budget Action Form (using Workflow) – this is required before contracts can be generated, and to grant access to Datatel, Colleague, and the LU email system.
 - Deadline for summer hires – April 1st
 - Deadline for fall semester hires – July 1st
 - Deadline for spring semester hires – November 1st

- Letter of Interest (strongly encouraged)
- Curriculum Vitae
- Reference Letters (3)
- LU Application
- Official Transcripts
- Evaluation of Foreign Transcripts (if necessary)
- I-9 (with copies of valid identification)
- Direct Deposit Form (with copy of voided check or letter from financial institution)

Office of Faculty Affairs
Contact Information
facultyaffairs@lincoln.edu

Marion Bernard-Amos
Assistant Provost for Faculty Affairs
Extension 7136
facultyaffairs@lincoln.edu

Jackie McNeil
Executive Assistant, Division of Academic Affairs
Extension 7435
jmcneil@lincoln.edu

"To give real service you must add something which cannot be bought or measured with money, and that is sincerity and integrity." ~Donald A. Adams

The Office of Faculty Affairs is sincerely committed to partnering with departments to build and retain exceptional faculties. Please do not hesitate to contact us for any reason. ~ The Staff

Appendices

1. Faculty Recruitment Plan
2. Advertising Template
3. Confidentiality Agreement
4. Leveraging Diverse Recruiting Resources
5. Effective Interview Questions
6. Notification and Release Form
7. Recommendation to Chair
8. Recommendation to Dean
9. Recommendation to Provost
10. Hiring International Faculty

1. Faculty Recruitment Plan

Position Information:

Department:

Faculty Rank/position:

Specialty/Discipline:

Position #:

Funded in the amount:

for a term of months

Present or former incumbent (if applicable):

Recruitment Information:

Plan to: ____ Initiate *or* ____ Continue Recruitment

List all search committee members including chair:

1. (Chair)

2.

3.

4.

5.

Instructions from Chair to search committee discussed with committee on _____ (date).

Salary range between \$ _____ and \$ _____

Anticipated date of initial advertisement:

Review of applications will begin on:

Anticipated date of employment:

List planned advertisements:

Name of publication/website	Dates (start/end)	Costs (completed by OFA)

Faculty Recruitment Plan (A - continued)

Note: Print advertisements will be placed by the Office of Faculty Affairs in the Chronicle of Higher Education at the beginning of each recruitment season.

Special Efforts to Diversify Faculty (Please explain and attach pages if necessary):

Checklist of observable/quantifiable characteristics to be used in screening of applications (Attach list).

Comments and Signatures:

Chair:

Date:

Dean:

Date:

_____ This plan is approved

_____ This plan is approved with modifications (specify)

2. External Advertising Template

Statement about LU

Lincoln University (LU), a historically Black, regional, comprehensive, liberal arts university is one of the 17 state-related institutions within the Pennsylvania Higher Education System. The university enrolls over 2,000 students, employs more than 100 full-time faculty members, and offers more than 30 undergraduate programs, and selected graduate programs.

Statement about the Hiring Unit/Department

This statement should be aligned with the mission statement of the academic department or hiring unit.

Diversity is at the core of LU's history, mission, and values. We understand the value of diversifying our faculty and pursue that standard of excellence by focusing our recruitment efforts to attract candidates with rich and varied backgrounds, scholarship, and experience.

Statement about the Position

- Seeking to hire (position rank and specialty area). This is a (contract period (9, 10, 11, 12 month), tenure-track, non-tenure track, fixed term, clinical) position. Include the position number on the advertisement notice.
- Job Summary (include job responsibilities and expectations for teaching research, service)

Statement about Qualifications

- Education requirements and preferences (include statement that degrees earned must be from a regionally accredited institution). If there are doctoral preferences, indicate any flexibility considerations.
- Experience requirements and preferences (use quantified years of experience for positions based on the rank being recruited)
- Scholarship requirements and preferences
- Licensure requirements and preferences if applicable

Application Procedure - Include the following in application instructions:

- A statement that no paper applications will be accepted. Candidates must apply online at www.lincoln.edu/careers
- Include what is required to be attached for initial screening (CV, letter of application). Unofficial transcripts can be requested initially. Official transcripts should be requested only at the time of final candidate selection.
- Any additional items should be solicited from candidates further along in the screening process so that all applicants do not have to submit an abundance of information at initial screening. More information can be requested as final selection approaches.
- Include a closing date and a proposed start date
- Include contact information (search committee chair) for any candidate inquiries
- Any special instructions to applicants

LU EEO Statement

Lincoln University is dedicated to providing equal opportunity in admissions and employment based on merit, and without discrimination based on race, color, creed, religion, gender, national origin, age, disability or veteran status, according to State and Federal laws.

3. Lincoln University Search Committee Confidentiality Statement

Name, Job Title, & Department: _____

It is the policy of Lincoln University's Office of Faculty Affairs to meet its workforce needs through selection procedures designed to identify, attract, select, employ, and develop the human resources necessary for present and future work requirements and within full compliance of Equal Opportunity and Affirmative Action regulations.

Code of Ethics

The search process offers the university an opportunity to demonstrate integrity, equity, and high ethical standards. When conducted with criteria in mind, searches contribute to the institutional reputation and serve to attract qualified and diverse candidates to the campus. In an effort to retain the most qualified and competitive candidates, the search committee will agree to:

- Develop an environment within the search process that respects the rights and dignity of all persons.
- Forego any personal biases or political agendas to ensure each candidate has an equal opportunity and fair evaluation.
- Disclose any and all conflicts of interests at all times to the chair of the committee or the Dean.
- Avoid disclosing any candidate information that has not been appropriately vetted for accuracy.
- Follow all by-laws of the institution, and Federal and State laws.

Records and Confidentiality

Records and files, including those stored electronically, are property of Lincoln University. In order to meet and exceed hiring standards, all university search process information, regulations and responsibility for safeguarding, recording or accessing these records are governed by policies, procedures, rules and statutes of Lincoln University, State of Pennsylvania, and the United States Government. By law (including but not limited to EEOC, OFCCP, FERPA, HIPAA, and Social Security regulations), all recruitment data is confidential.

Each employee is responsible for understanding the confidentiality requirements of the data to which he/she has access. Recruitment security and confidentiality form must be completed for each search in which a person participates; regardless of status or job assignment and for the duration of the employee's work relationship with Lincoln University or any other agency.

Search process confidential information includes but is not limited to:

- Electronic Data
- Individual access passwords or guest user ID's
- Scoring Computations and Reporting Documents
- Search committee evaluative discussions
- New Hire information
- Internal Candidate information
- Reference Check Responses
- Revealing content of any confidential record or report to anyone except in the conduct of that person's work assignments and in accordance with college policies and procedures
- Knowingly include any false, inaccurate or misleading entry in any report or record
- Seeking personal benefit or allowing others to benefit personally from knowledge of candidate or process

Signature

Date

Submit with Faculty Recruitment Plan

4. Office of Faculty Affairs

1570 Baltimore Pike
105 Vail Hall
Lincoln University, PA 19352
Phone **484-365-7136**

Leveraging Diverse Recruiting Resources

Effective searches depend heavily on recruitment strategies that “cast a wide net” to reach a diverse and competitive candidate pool. In addition to making personal contacts within the professional job related field, we also encourage search committees to consider advertising positions at conferences, within professional networks, and in diverse directories and journals. The following are examples of diverse recruitment resources that can be utilized and leveraged to “cast a wide net” and yield a competitive and qualified pool:

Resource	Contact Information
The Minority and Women Doctoral Directory Directory of Ford Fellows	(919) 515-3148 http://sites.nationalacademies.org/PGA/FordFellowships/PGA_046611
INSIGHT Into Diversity	dhecke@insightintodiversity.com
American Association of University Women	ads@aauw.org
American College Personnel Association	info@acpa.nche.edu
The American Educational Research Association	http://www.aera.net
American Indian Science and Engineering Society	http://www.aises.org/
Association for Asian Studies	http://www.asian-studies.org/
BGESS Databases	https://eecs.berkeley.edu/people/student_s/organizations
Careers and the Disabled	http://www.eop.com/mags-CD.php
Chicanos and Native Americans in Science	http://www.sacnas.org/
Historically Hispanic Colleges and Universities	http://www.hacu.net/
National Black MBA Association, Inc.	http://www.nbmbaa.org/
National Physical Science Consortium (NPSC)	http://www.npsc.org/
National Society of Hispanic MBA's	http://www.nshmba.org/
The Academic Position Network	info@apnjobs.com
The Spencer Foundation	fellows@spencer.org
University Faculty Voice	(715) 634-5226
The Black Collegian Online	http://imdiversity.com/channels/eon/the-black-collegian-online/
Diverse Issues in Higher Education	http://www.diverseeducation.com/
The Hispanic Outlook in Higher Education	http://www.hispanicoutlook.com/
Women in Higher Education	http://www.wihe.com/

5. Office of Faculty Affairs

1570 Baltimore Pike
105 Vail Hall
Lincoln University, PA 19352
Phone **484-365-7136**

Effective Interview Questions: Do's & Don'ts

This table is designed to assist search committees as they develop a core set of job related questions and avoid any questions that are discriminatory or illegal. Questions that contribute to identifying the best and most qualified candidate are related to the requirements, knowledge, skills, and abilities of the position. To demonstrate consistency and fairness in evaluation criteria, document all questions and answers for the search records. We highly encourage search committees to review these questions closely prior to conducting and screenings or interviews. Please contact the Office of Institutional Equity (484-365-7755) or the Office of Human Resources (484-365-8059) with questions.

Topic	Do's (Not required but permissible if job related)	Don't
Age	Inquiry as to minimum age requirements to work in compliance with State and Federal laws.	How old are you? What is your date of birth? When did you graduate from high school? From college? Inquiries regarding retirement.
Arrest Record	May ask about convictions ONLY as it relates to ability to perform the job being sought. Ex. Have you ever been convicted of a crime?	Have you ever been arrested?
Citizenship and National Origin	Languages, travel or cultural experiences <u>as they relate to job requirements.</u> If hired would you be able to show proof of authorization to work in the U.S.? For verifying authorization <u>after</u> being hired, applicants must be allowed to <u>choose</u> from any of the approved forms of proof available on the I-9 form.	Are you a U.S. citizen? English language skill – only if it is requirement of the job, otherwise it could be construed as national origin discrimination. Inquiries into lineage, ancestry, native language, etc. How foreign language was acquired. What is your nationality? (Where are you from?)

Gender/Sex	<p>Gender under specific circumstances can be used as a bona fide job qualification or necessity.</p> <p>Please consult with the Office of EEO/ AA & Diversity, Ext. 8759</p>	<p>Are you comfortable supervising men? Do you think you could perform the job as well as a man? Are you a man or a woman?</p>
Credit Record/Bankruptcy	NONE	<p>Inquiries about credit record, charge accounts, own your own home, car, etc.</p>
Height and Weight	<p>Only when it related to job requirements.</p> <p>Please consult with the Office of EEO/ AA & Diversity, Ext. 8759</p>	<p>Can be discriminatory against females, Hispanics, and/ or Asians.</p>
Illness and Disability	<p>Are you able to perform the essential job functions of this position?</p>	<p>Do you have a disability? What is the nature or severity of your disability? Do you need an accommodation to do this job? Do you suffer from an illness or disability? Have you ever had or been treated for any of these conditions or diseases? (followed by a check list) Have you been hospitalized? What for? How much and what kinds of insurance do you have? Have you ever been treated by a psychiatrist or psychologist? Have you had a major illness recently? How many days of work did you miss last year because of an illness? Do you have any disabilities or impairments that might affect your performance in this job? Are you taking any prescribed drugs? Have you ever been treated for drug addiction or alcoholism? Are you likely to take time off under the Family and Medical Leave Act?</p>

Marital Status/ Name
Changes/ Spouse/ Children

Can you meet the specified
work schedule?

Do you have any
responsibilities that conflict
with the job attendance or?
travel requirements?

What was your maiden name?
Are you married, single, or
divorced? Do you plan to get
married? Are you known as
Ms. Miss, or Mrs.? What is
your spouse's name? Where
do she/ he works? Are you
pregnant? Do you plan to have
children? Do you have children
under the age of 18? How
many? What are your day care
plans? What arrangements will
be made for child care? What
would you
do if your husband were
transferred?

Political Affiliation

NONE

Do you belong to any social or
political groups? Who are you
voting for in this year's
election?

Race and Color

NONE

What is your race? Are you bi-
racial?

Religion

After hiring, it is permissible to
discuss accommodations for
religious practice, if an
accommodation is requested
by the employee.

Which church do you attend?
What is your religion? What
are your religious holidays?
Are available you work on
weekends? Do you celebrate
Christmas or Ramadan?

Please consult with the Office
of EEO/AA & Diversity 750-
8759.

Retaliation

NONE

Have you ever filed a
grievance against an
employer?

Veteran Status/Military
Service

Type of education and/or
experience acquired in the U.S.
Armed Services as it relates to
the job being sought.

Inquiries about military
records, military service for
any other country other than
the U.S., or any type of
discharge.

6. Background Check

() Non-student () Grad Student () Student () Adjunct () Permanent For Office
of Faculty Affairs and Human Resources Use Only

NOTIFICATION AND RELEASE FORM FOR BACKGROUND CHECK

COMPANY NAME: LINCOLN UNIVERSITY

The information contained in my application for employment with Lincoln University (hereinafter, "The Company") is true to the best of my knowledge and belief. I understand that any misrepresentation or false statement made by me in connection with the application or any related documents which is deemed material by The Company shall result in The Company not employing me or, if employed, terminating my employment. I understand and agree that all information furnished in my application and all attachments may be verified by The Company or its authorized representative. I hereby authorize all individuals and organizations named or referred to in my application and any law enforcement organization to give The Company all information relative to such verification and hereby release such individuals, organizations and The Company from any and all liability for any claim or damage resulting therefrom. I hereby acknowledge that I have been informed by The Company that The Company may seek to obtain a consumer report and/or investigative report that will include personal information regarding me, including but not limited to, educational history, work references, driving record, drug testing and criminal convictions or arrest records if allowed, in order to assist The Company in making certain employment decisions. I further acknowledge notification by The Company that reports may be provided to The Company by other firms subcontracted for that purpose. I, my heirs, assigns and legal representatives, hereby release and fully discharge The Company, its parent and affiliated companies and the respective officers, directors, shareholders, employees, agents of each, including subcontractors, from any and all claims, monetary or otherwise, that I may have against The Company, its parent, affiliates or subcontractors, arising out of the making, or use of, either a consumer report and/or investigative report, including any errors or omissions contained or omitted from such reports or investigations. The Company agrees to inform you if an employment decision has been influenced by information contained in a consumer report, made at our request by Castle Branch, Inc. You may obtain a free copy of the report within sixty days by calling Castle Branch, Inc. collect at (910) 815-3880 or toll free at (888) 520-0520. The Company will make available to you "A Summary of Your Rights Under the Fair Credit Reporting Act."

PLEASE PRINT

Name (First, Middle, Last) _____ Date of Birth (mo/day/yr) / /

Maiden Name or "AKA" (First, Middle, Last) _____ Dates Used (yr) from _____ to _____

Social Security Number - - Driver's License Number State

1. **Have you ever been convicted of a crime? This includes violations of local ordinances and state and Federal laws that resulted in paying a fine, being incarcerated, and/or receiving probation or community service or paying restitution for a misdemeanor or felony.**
YES NO
2. **Have you ever entered a plea of guilty, a plea of no contest, a plea of nolo contendere or an Alford plea or received a deferred prosecution or prayer for judgment continued to a criminal charge?**
YES NO
3. **Have you otherwise ever accepted responsibility for the commission of a crime?**
YES NO
4. **Do you have any criminal charges pending against you?**
YES NO

If the answer to any of the questions above is "yes", please explain in the field provided below. Please note a "yes" answer does not mean you cannot be hired. The offense and how recently it occurred will be evaluated.

Current and previous address (es). **PROVIDE ALL ADDRESSES FOR PREVIOUS 10 YEARS.** (Use extra page if necessary)

Street	City	State	Zip	County	From	To
Street	City	State	Zip	County	From	To
Street	City	State	Zip	County	From	To
Street	City	State	Zip	County	From	To

Applicant Signature _____ Date _____

For Employer Use

Contact: Human Resources (HR) Email: hr@lincoln.edu

Phone: 484-365-8059 Fax: 484-365-8060

7. Sample text for Recommendation to Hire from Search Committee Chair to Department Chair

To: Department Chair
From: Search Committee Chair
Date: April 15th, 2011
RE: Recommendation for Hire
Position Title (e.g., Assistant/Associate/Professor of Child Psychology)

Search

The Search Committee has completed its search for the Assistant/Associate/Professor of Child Psychology position in the Department of Psychology and has made a recommendation to hire, which I support/do not support.

After screening 42 candidates and initially choosing seven for phone interview, we identified six candidates for phone interviews with two backups. Of those six, the search committee invited [#] for interviews; the other [#] candidates we deemed not qualified for this position. Include any additional information about the screening process specific to the search.

Selection

The search committee interviewed [candidate #1 name] on [date], [candidate #2 name] on [date], and [candidate #3 name] on [date]. The search committee was unanimous/split in their decision, but were able to reach a consensus, and we offer some observations on their performance during the interviews followed by our rationale for the selection of [candidate's name].

In the committee interviews, [candidate's name] showed more depth in her answers, and one committee member felt that [candidate's name] performance in the interview was particularly weak. During informal time, both candidates got along well with our faculty and students, but there was a clear preference for [candidate's name] from those who spent more time with both candidates. [Candidate's name] teaching experience beyond her doctoral university experience was impressive; her liberal teaching at these diverse institutions we perceived to be a major plus regarding her suitability for teaching students at LU.

During the job talks, both candidates showed some weaknesses. A student and Faculty evaluation of the talks tended to favor [candidate's name] over the other(s), but this was marginal and the contexts were different.

Both candidates' performances were somewhat disappointing on some dimensions of calculating the t-test; [candidate's name] overall statistics presentation was more impressive with regard to organization and materials. [Candidate's name] attempted to engage in more class discussion and student activity. Regarding the research talk, the ratings sheets were similar, but the informal discussion of the committee and the other faculty in Psychology preferred [candidate's name] presentation and found her research interests more compelling, promising, and in alignment with the Psychology program.

After lengthy and careful deliberations, and the weighing of all factors, the search committee makes the request for [candidate's name] to be offered the position.

Signature of Search Committee Chair

8. Sample text for Recommendation for Hire to Dean from Department Chair

To: Dean

From: Chair

Date: April 15, 2011

RE: Recommendation for Hire
Position Title (e.g., Assistant of Child Psychology)
Department of Psychology

The following candidates were interviewed for the position of Assistant/Associate/Full Professor of Child Psychology: Dr. John Doe (date of interview) and Dr. Mary Jane (date of interview).

Dr. Doe was stronger in both the phone and campus interviews in contrast to Dr. Jane. After careful consideration of all information obtained, including references, we recommend Dr. Doe for the position. Dr. Jane did not perform well in teaching and research presentations, or during the search committee interviews. Therefore, she would not be considered in the event Dr. Doe declines an offer. We would like to select Dr. Love, a candidate that was interviewed for the community psychology position.

The salary range for assistant professors in the Psychology program are \$60,000 – \$68,000 for a 9-month appointment.

Thank you for your consideration.

Signature of Search Committee Chair

Signature of Department Chair

9. Sample text for Recommendation for Hire from Dean to Provost

TO: Provost & Vice Chancellor for Academic Affairs

FROM:

DATE:

RE: Candidate for appointment as Assistant Professor of Healthcare Management

The following candidates were interviewed for the position of Assistant Professor of Healthcare Management: Dr. Mary Jane (interview date) and Dr. John Doe (interview date).

Below is the ranking of the search committee:

1. Dr. John Doe
2. Dr. Mary Jane

Based on review of the information and recommendations received from the chair of the department and the search committee chair, I support the recommendation that Dr. John Doe be hired as Assistant Professor of Healthcare Management, with an appointment date of August 2012. I plan to make an initial offer of \$70,000 per academic year.

The lowest and highest salaries for assistant professors in the Department of Healthcare Management (correlates with years at the university) are: \$68,000 and \$72,000. Accompanying this letter are the resumes of the candidates, the search committee's report, and the recommendation of the Chair of the department.

Thank you for your consideration.

10. Recruiting and Retaining International Faculty

Lincoln University Policy Statement

Lincoln University's excellent teaching reputation is attracting a growing number of international applicants for various faculty and professional administrative positions. With the move to the Research category and related campus activity surrounding research and scholarship and regional economic development initiatives, more research, teaching, and administrative positions will result in the recruitment of highly qualified international candidates that will contribute to the university's intellectual and cultural diversity.

The following documents are provided to guide your work pertaining to the recruitment and retention of international faculty.

PRE-HIRING ISSUES AND DIRECTIONS FOR PETITIONING FOR THE H-1B VISA: Permanent Residence Petition

In advertising and hiring an international faculty member, there are a number of important issues that must be considered:

It is solely the university's discretion as to whether an immigrant petition will be filed on behalf of any beneficiary. If the department decides that they would like to keep this individual as a productive colleague at LU, the department may want to work with the Assistant Provost for Faculty Affairs and Human Resources eventually on an employer petition for permanent residence, or PERM, that can be made with the U.S. Department of Labor. If a petition for permanent residency will be filed on behalf of the beneficiary, **the department MUST make sure that the position is advertised in accordance with US DOL Regulations.**

There is a time limit for PERM petitions. LU can petition for PERM within an 18-month window past the date that the international faculty member is OFFERED the position. All PERM petitions must be approved by the Provost and Vice Chancellor for Academic Affairs.

LU will consider filing a PERM petition on a case-by-case basis only for full-time teaching faculty at the rank of assistant professor and above, in a tenure-track position, and with evidence of a print ad in a national publication during the search process. If the international faculty member signed a contract at the end of May, LU has until the end of November in the following year to submit the PERM petition. However, since most tenure/reappointment decisions are made in April or May of the academic year, there are only 6 months in which to get everything in place to submit the PERM petition. (See the guidelines on PERM for further information.)

Job Description Template (Potential International Applicants/H-1B and PERM)

GUIDELINES FOR JOB DESCRIPTION

1. Specific Job Title (Ex. "Assistant Professor in Biology").
2. Specific duties (Can be brief, but **must include some mention of teaching**, even though one might think that the job title of professor implies teaching, the Department of Labor does not. Ex: "Teach 2 graduate level classes in the Department of English" or "Responsibilities include teaching undergraduate courses, conducting research, etc. in the department.). If teaching is an important function of the job, then list it as a duty in the job description.
3. Requirements: Make sure that the actual degree is indicated: ex.: "PhD in Mathematics." If alternative or foreign equivalent degrees are acceptable, then list them. If there are lots of them, always say "or a closely related area." Ex: PhD in CS, Information Systems, or a closely related area."
4. If you require a PhD, make sure the foreign national has the PhD **and it is not pending**. If you will accept someone with a pending PhD, you must indicate it in the ad, for example, "PhD or completion within a year of hire." (avoid using "ABD").
5. If a minimum amount of "experience" or "training" is required or used in the job description, you need to specify the time by number. For example, "1 year of training in remote sensing," or "6 months' experience of field/lab work on_____."

NOTE: AVOID LISTING PREFERENCES

In addition, LU requires the following:

Applications: Apply online at: www.lincoln.edu/careers

AA/EOE Statement (Full statement): Lincoln University is an Affirmative Action/Equal Opportunity Employer that conducts background checks. Proper documentation of identity and employability are required at the time of employment. All new employees are required to provide official transcripts within 30 days of employment.

Abbreviated Statement: LU is an AA/EOE who conducts background checks. Proper documentation of identity and employability are required at the time of employment.

VERY IMPORTANT: If departments hire a candidate that they would like to keep and for whom they would like to petition for permanent residency, LU may petition within 18 months of the offer. LU may also petition for "Outstanding Professor/Researcher" permanent residency when the applicant has at least 3 years teaching experience, AND has met 3 of the following categories: (1) won major international awards or prizes, (2) is a member of an association in academic field which requires outstanding achievements, (3) participated in a panel or as a judge of work of others in same or allied academic field, (4) published material in a professional publication where others have written citations about the applicant's work, (5) has written/produced original scientific or scholarly research, and/or (6) is an author of books or articles with international circulation.

THE INTERVIEW PROCESS - LOOKING OUT FOR H-1B ISSUES

QUESTIONS THAT, LEGALLY, YOU CAN ASK OF ALL CANDIDATES:

A. If you were to be hired, would you have and be able to provide proof of legal authorization to work in the U.S., and for our organization?

OR, YOU COULD ASK THIS IN TWO PARTS:

A. If you were to be hired, would you be able to provide proof of legal authorization to work in the U.S.?

B. Will you now or in the future sponsorship for employment visa status?

NOTE: If you just ask, “Would you have and be able to provide proof of legal authorization to work in the U.S.?” then you would still not know whether the candidate would be able to work for you without the sponsorship of an H-1B.

NEVER PROMISE H-1B SPONSORSHIP TO A FOREIGN NATIONAL

1. Has the position been reviewed to determine if it meets the H-1B specialty occupation definition, and if the candidate qualifies for the position?

2. Before LU will petition for an H-1B visa, OFA will need to know if the applicant holds or previously held another status:

a. **F-1 student visa** and can work for one year on Optional Practical Training (OPT). This is only permitted if the new faculty member is in a temporary position and is **NOT in a TENURE-TRACK** position.

b. **J-1 student visa** and can work for up to 18 months on professional training as a professor/research scholar or short-term scholar. Again, this will only be for temporary faculty positions, **NOT TENURE-TRACK** positions.

c. **TN visa from** Canada or Mexico with renewals each year. If the position is tenure-track, the TN holder must apply for an H-1B on behalf of the applicant.

d. **H-1B visa** from another university/company. LU will have to complete the H-1B process on behalf of the candidate by filing an entire new packet of H-1B forms with the USCIS (the United States Citizenship and Immigration Services) filing fees. These fees would include a filing fee and anti-fraud fee, and possibly an additional “premium” processing fee to expedite the case.

NOTE: IMPORTANT

The H-1B visa is a non-immigrant visa, but can also have immigrant intent. Therefore, many new hires will inquire about the possibility of getting the green card (permanent residency) with LU. While there are other ways to apply for permanent residency, below are the only two types that LU will utilize to sponsor a foreign national.

1. PERM (a form of permanent residency): Application must occur within the first 18 months of the offer of employment. Each application will be considered on a case-by-case basis for ONLY teaching faculty at the rank of assistant professor and above, in a tenure-track position whereby a national search was conducted.

NOTE: The job announcement must clearly identify the minimum qualifications required in the advertised position. If the print ad reads Ph.D. required and the committee hires an international candidate who is ABD, the later petition for PERM is jeopardized. Typically, the process will not be able to move forward. LU will then be required to conduct a new employment search.

2. Outstanding Professor (permanent residency): Application will be considered for those candidates with 3 years teaching experience, an outstanding research background, major national/international awards and recognition, etc.

WARNING: LU is NOT REQUIRED to file an H-1B for the foreign worker. If we contract to hire the foreign worker and then, after the fact, determine that we need to sponsor him/her with an H-1B, we may be obligated to do so or deal with potential legal issues. This can create a complex situation if the foreign national is not qualified for the H-1B for any reason, including the following:

1. The position into which you want to hire the foreign national might not be an “H-1B caliber” position. USCIS requires that the position itself be a “specialty” occupation, which is defined as an occupation that requires, at minimum, a bachelor’s degree in the specific specialty field. In higher education, the minimum degree is a master degree and the “specialty” occupation is teaching/research. Non-teaching positions may be an issue.
2. The foreign national might not possess the specific degree or related degree required for the position. Even if you would be willing to accept the foreign national’s degree, USCIS may not approve the case since the H-1B regulations require that the degree must be in the specialty field.
3. The foreign national may have an H-1B from another institution and may not be able to port without leaving the U.S. and applying for a new H-1B abroad. There are not guarantees for entry or re-entry.
4. The foreign national might have other current or past immigration issues (ex: out of status or working without authorization) or other legal issues that would prevent him/her from obtaining an H-1B status.

Lincoln University H-1B Petition Processing Guidelines and Procedures

H-1B VISA REQUEST

The following information is to be completed by the hiring department. Please keep a copy for departmental records. Please submit this form and all required documents and materials to the Provost and Vice Chancellor for approval. The petition is employer-based and the beneficiary is prohibited from handling the petition documents and processes. H-1B sponsorship through Lincoln University is for **full-time faculty** employment only.

IMPORTANT: To avoid a delay with processing this request, please complete all areas of this form. Incomplete forms or those missing supportive documentation will not be processed and will be returned to the hiring department.

SECTION 1: SPONSORING (HIRING) DEPARTMENT INFORMATION *(PLEASE TYPE OR PRINT)*

SPONSORING DEPARTMENT:

Name: _____
 Title: _____
 Campus Address: _____
 E-Mail Address: _____ Campus Phone & Extension: _____

SECTION 2: H-1B PETITION APPLICATION TYPE

Select Type:

- Initial H-1B Petition (includes transfers) *(Select/Specify CHANGE OF STATUS if applicable to initial application.)*
- Extension of Approved H-1B Petition
- Amend Current Approved H-1B Petition
- Change of Status to H-1B from _____

SECTION 3: EMPLOYEE INFORMATION

Name of H-1B Beneficiary: _____
Last (Surname) First Middle

Is the H-1B Beneficiary currently in the U.S.? NO YES
 If "yes", state current visa status in the U.S.? _____ Expiration Date of Current Status: _____
 If current LU employee, list Banner ID #: _____

Name of H-1B Beneficiary's supervisor: _____
 Title of H-1B Beneficiary's supervisor: _____

Will the H-1B Beneficiary supervise other employees? NO YES **If "yes", how many?** _____

State the hours of work required per week: _____

Is overtime required? NO YES If "yes", specify the number of hours per week required: _____

State the daily work schedule (e.g. 9am to 5pm, 7am to 11am, and/or 4pm to 8pm): _____

REQUESTED DATES for H-1B EMPLOYMENT: From _____ To _____
(mm/dd/yyyy) (mm/dd/yyyy)

Note: The employment period cannot be longer than the approved period of employment consistent with:

- the maximum term of employment per contract, reappointment, etc. per University regulations;
- the maximum number of months/years for which funds (State and/or Grant) are currently approved;
- the maximum number of eligible months/years remaining for the beneficiary in this non-immigrant status.

SECTION 4: H-1B EMPLOYMENT LOCATION (list all worksites where the employee will be working)

Will the H-1B Beneficiary work be performed at multiple worksites within an area on-campus and/or off-campus? *
 NO **YES** If Yes, please provide all applicable worksite addresses below.

➤ *Note: On-campus worksites reference 1570 Baltimore Pike, Lincoln University, PA 19352, as primary address with building name and office number. Off-campus worksites are considered those worksites with a different physical address other than 1570 Baltimore Pike, Lincoln University, PA 19352.*

List all on-campus worksites (i.e. building and room/lab #):

_____ **Building Name** _____ **Room / Lab #**

List all authorized "off campus" sites (if applicable), please give complete address:

Name of Location	Street Name and Number	City	State	Zip Code

*If necessary, submit an attachment to continue and complete a listing of all anticipated worksites.

If the H-1B Beneficiary will have multiple worksites, please attach an outlined itinerary of dates and places of assignment.

Regulatory guidelines require that employers (petitioners) submit an itinerary that shows the dates and places of assignment if the H-1B Beneficiary will be providing services at more than one worksite location. In addition, it is a Federal violation not to notate all worksites as applicable.

SECTION 5: POSITION FUNDING

Salary: \$ _____ per - month year course If by course, specify number of courses: _____

How is this position funded? State-Funded Grant-Funded Both - State/Grant-Funded

If use of grant funds, please specify the following:

Name of Grant: _____

Grant Authorization Period: **Start Date:** _____ **End Date:** _____

Does this grant allow employment for non-immigrant visitors? NO YES If yes, see below.

➤ If yes, the grant administrator or principal investigator must provide a written attestation that confirms the grantor/grant terms authorizes the employment of legally admitted non-immigrant visitors in the U.S.

SECTION 6: POSITION INFORMATION

List the Position Title: _____

- Is this employment **Temporary or Time Limited**? NO YES
- Is this a **Permanent Position** as defined by the University? NO YES
If yes, list position number: _____
- If this position tenure-track? NO YES

• Please be reminded that the H-1B temporary work category is time limited (6 years maximum).

NOTE: A foreign national hired as a tenure track employee **does not** guarantee or commit the University to petition for permanent residency based on employment.

• Will the employee be eligible for LU group health insurance and other benefits? NO YES

If yes, state the "equal dollar" amount of the benefit(s) to be paid by University (REQUIRED) \$ _____

List any additional compensation, if any: _____ Value per week or per year \$ _____

Describe the job duties, **in full detail**, to be performed by any worker that would fill this job opportunity. This description must be clear and include all related duties applicable. Be sure to specify *any equipment* to be used and pertinent working conditions.

(Use additional sheet of paper if more space is needed for *description of duties*.)

Does this position/job require travel? (e.g. regional/national conferences, seminars, workshops, etc.)

NO **YES**

If yes, explain the travel requirements: _____

NOTE: If no, be informed that the H-1B Beneficiary will not be eligible to participate in any offsite activities; other than those activities being held at the worksite location(s) stated in Section 4 of this form.

SECTION 7: POSITION RECRUITMENT AND SELECTION

Does this position/job require the completion of the recruitment and selection process as established by University policies and procedural guidelines? **NO** **YES**

If “yes”, attach copies of all processed and approved HR Employment documents.

SECTION 8: EXPORT CONTROL/CONTROLLED TECHNOLOGY OR TECHNICAL DATA

*Is the H-1B Beneficiary being hired to work on a research project? **NO** **YES**

If yes, Name of Research Project: _____ If

yes, Name of Research Grantor/Agency: _____ If

yes, Name of Research Principal Investigator: _____

Will the H-1B Beneficiary work on a cooperative research and development project under a reciprocal government-to-government agreement administered by the U.S. Department of Defense? **NO** **YES**

- If “yes”, specify the name of the project:

*Additional clearance may be required before the University can initiate the H-1B filing process on behalf of the named H-1B Beneficiary.

SECTION 9: POSITION/JOB REQUIREMENTS (READ THIS SECTION CAREFULLY!)

MINIMUM Academic/Training Requirements for Position (please be specific) ***THIS INFORMATION IS REQUIRED TO COMPLETE THE PREVAILING WAGE REQUEST AND FORM I-129 APPLICATION.***

- Education:** *minimum U.S. diploma/degree required*
 None High School/GED Associate’s Bachelor’s Master’s Doctorate (PhD) Other degree (JD, MD, etc.)
 a. If “Other degree” in question 1, specify the diploma/degree required: _____
- Indicate the major(s) and/or field(s) of study required (may list more than one related major and more than one field): _____
- Does the employer require a second U.S. diploma/degree? **NO** **YES**
 a. If “YES”, indicate the second U.S. diploma/degree and the major(s) and/or field(s) of study required: _____
- Is training for the job required? (e.g. programs, coursework, etc.) **NO** **YES (Training is not considered to be experience or education.)**
 If “YES”, specify the number of **months** of training required: _____
 Indicate the field(s)/name(s) of training required (may list more than one related field and or type): _____

5. Is employment experience required for the job? **NO** **YES**

a. If "YES", specify the number of **months** of experience required: _____

b. Indicate the occupation required: _____

6. **Special Requirements** – List specific skills, licenses/certificates/certifications, and requirements of the job opportunity.

SECTION 10: DEPARTMENTAL CERTIFICATION OF H-1B REGULATIONS

It is important to understand that this information must be exact for the position/job as established through the University. The H-1B Beneficiary and University can be penalized, if found the information submitted for sponsorship was falsified to gain authorization for employment.

I certify the following:

- The information provided herewith is, to the best of my knowledge, accurate and true.
- The funding for the stated position has been appropriated and is available at the stated salary to support this employment request.
- If the employee is terminated by LU prior to the H-1B ending date, the department will pay the reasonable cost of transportation necessary for the employee (this cost does not include transportation expense for spouse and/or any dependents) to return to his/her last place of residence outside the United States.
- If sponsored employee voluntarily ends employment or separates from LU before the end date of the approved H- 1B period, the department will immediately notify the Provost and Vice Chancellor of Academic Affairs to make proper notifications to USCIS. (In this instance, the department is not responsible for airfare expense.)
- I understand that the department cannot make any changes to the petition once submitted to USCIS and must communicate intentions to change provisions to the Division of Human Resources immediately so that a new labor Condition Application and H-1B petition can be filed reflecting said changes. This includes but is not limited to:
 - Promotion or other change in job title/classification
 - Changes in job duties or responsibilities as certified
 - Decrease/Increase in salary or benefits as certified
 - Change in worksite location(s) as certified

Department Chair (please print name)

Signature

Date

I have discussed the provisions of this application with the petition requestor and all responsible parties (hiring department) as well as approve the H-1B Request as documented. *(Approval signatures required by all administrators listed below.)*

Dean/Vice Chancellor (please print name)

Signature

Date

Provost (please print name)

Signature

Date

H-1B PETITION CHECKLIST

PLEASE PROVIDE AND PROPERLY LABEL THE FOLLOWING DOCUMENTS TO SUPPORT THE PETITION:

All official documents must be in English, or must include an official English translation.

Full Name of new employee: _____

_____ Completed and fully signed H-1B Petition Request Form

_____ Copy of signed LU letter of appointment/offer with contingency clause indicating dates of appointment and salary

_____ Copy of Vacancy Notice advertised in a national publication

_____ Copy of Actual Wage Determination Form

_____ Copy of current and expired passport with **legible** visa stamp(s), photo and date of birth, stamped date(s) of entry into U.S. and current 1-94 card

_____ List of all time spent in the U.S. and Copies of all visa notices of receipts, approvals or denials

- If you have been in the U.S. in H-1B, L-1, O-1, or any other classification other than student, please send CLEAR, LEGIBLE copies of any USCIS Form 1-797, Notice of Action ever issued to you.
- If you have been in the U.S. before as a student or exchange visitor, please send CLEAR, LEGIBLE copies of all IAP 66, DS-2019, or 1-20 Forms issued to you.
- If you have filed a Form 1-140 Petition, any 1-797 Notice of Action related to it (if applicable).
- If you have been in the US in H-1B, L-1, O-1, or any other classification other than student, please send CLEAR, LEGIBLE copies of any USCIS Form 1-797, Notice of Action ever issued to you.
- If F-1 w/ Employment Authorization Document (EAD) for OPT, provide copy of EAD and Form 1-20

_____ Copy of social security card

_____ Copy of 3 most recent pay stubs and

_____ Copy of W-2 forms from most recent US employer

_____ Copy of most recent resume/curriculum vitae with current address and contact information

_____ The location of a US Consulate or Port of Entry at which applicant would apply for a visa if exiting or entering the US on a separate sheet of paper

_____ Copies of your highest awarded degree

- If NON-U.S. Degree, a degree evaluation by an accredited U.S. credentials evaluation service is required. If Masters or Ph.D. is from a U.S. institution, then this evaluation is not required.

CONTINGENCY CLAUSE FOR JOB OFFER TO H-1B BENEFICIARIES

This contingency clause MUST be inserted into the job offer letter to international candidates requiring sponsorship.

Please be advised that this employment offer is contingent upon the following three conditions:

- (1) upon acceptance of this offer, you must work with the LU OFA and OLA to provide documents required by U.S. immigration law;
- (2) with the assistance of OFA and OLA, you must obtain approval from U.S. Citizenship and Immigration Services (USCIS) to be employed at LU in an appropriate immigration classification prior to the starting date; and
- (3) the University will not be responsible for your failure to comply with U.S. immigration laws or be liable for limitations set forth in the U.S. Immigration and Nationality Act.

Nothing stated by LU, its employees in correspondence to the Department of Homeland Security, Department of Labor, Department of State or other agency or third party in connection with an immigration matter is to be construed by any employee to constitute an employment contract for a particular term, nor is it to be construed as, or used for the purpose of performance appraisal.

SAMPLE LETTER OF EMPLOYING DEPARTMENT IN SUPPORT OF PETITION

On DEPARTMENTAL LETTERHEAD

[DATE]

Department of Homeland Security
USCIS
CALIFORNIA SERVICE CENTER
24000 AVILA ROAD, ROOM 2312 LAGUNA
NIGUEL, CA 92677

Choose one of the RE: below depending on the type of visa petition

For a new H-1B petition:

RE: Petition by Lincoln University for a Nonimmigrant Worker Beneficiary: [*faculty full name*]

For extending a petition or a new petition for H-1B transferring to LU:

RE: Petition by Lincoln University to extend a Nonimmigrant Worker Beneficiary:
[*faculty full name*]

Dear Sir or Madam:

This letter is submitted in support of the H-1B Petition of Lincoln University on behalf of [*faculty full name*].

The Petitioner

Lincoln University was founded in 1854 and employs approximately 500 individuals. It is a non-profit institution of higher learning, offering undergraduate and graduate level degrees. Lincoln University is one of the state related institutions PHEA.

The Position--(Note: for extensions, eliminate “offered” and change verb tense)

The Department of [*LU department name*] at Lincoln University requires the services of [*job title*]. This is a [*identify type of position, e.g., permanent, tenure or non-tenure track, 9 or 12-month*] position. The specific focus of this position will be [*2-3 sentence description of position*].

Professional Nature of Position--(Note: for extensions, eliminate “offered” and change verb tense)

The position of [*job title*] is professional in nature, as it requires completion of a Ph.D. degree in [*discipline*] or related areas. The specialty occupation [*job title*] carries with it a scope of responsibilities and level of authority which is commensurate with the professional standing of this type of position at Lincoln University. The position cannot be performed without attainment of the Ph.D. degree.

It is the position of Lincoln University that the position qualifies as a specialty occupation because it meets all of the following criteria:

- A baccalaureate or higher degree or its equivalent is normally the minimum requirement for entry into the particular position, or
- The degree requirement is common to the industry, or the duties of the position are so complex or unique that a degree is required, or
- The employer normally requires a degree or its equivalent for the position.

[Faculty full name]’s Qualifications

We believe that Dr. [faculty name] is a professional individual whose training and experience uniquely qualify (him/her) for this appointment as [job title] at Lincoln University. (He/she) received (his/her) Ph.D. in [discipline] on [date] from [university], (his/her) [Master degree] in [discipline] on [date] from [university], and (her/his) [bachelor degree] in [discipline] on [date] from [university]. [You can mention certifications, other education].

[Here describe other qualifications that make the candidate unique for this position in a brief paragraph]

Dr. [faculty name] comes to us highly recommended in areas of (his/her) research, teaching and service [or other qualifications]. Based on Dr. [faculty name]’s academic background and work experience, we consider (him/her) to be an essential candidate for employment with our university. Therefore, we seek (his/her) temporary H-1B visa employment authorization pursuant to the terms below.

Terms of Employment

You need to state clearly the exact dates for which the H-1B is being requested. It depends upon the appointment, funding, when the prior status of the foreign nationals ends, etc. The information here should match the employee’s contract dates. Up to 3 years can be requested at a time if your college has funding and are willing to attest to USCIS that the person will work for 3 years. Be specific, for example, 08/15/11 to 08/14/13. (Each year that LU files for an extension, LU needs to pay the application fee. If we must rush the application, then LU will have to pay the premium processing fee, too. If the department is sure that it wishes to employ the person for 3 years, and is able, then it is more cost-efficient to do so.)

Dr. [faculty name] will be employed as a(n) [job title] at a salary of [\$\$\$\$] per year. We request that the H-1B begin on [date], and conclude on [date]. Thank you for your consideration of our petition. If you have any questions or concerns, please contact the undersigned.

Sincerely,

[Dean Signature]

[Dean Name], Dean
School/College of [name]

Actual Wage Determination Form

Explanation of the System Used to Set the Actual Wage

(Please fill out this form and send to OLA as part of the Public Access File for H-1B employee)

In accordance with U.S. Department of Labor regulation, documentation of actual wage determination is required in order to ensure that an employer is paying similarly-situated employees equivalent salaries. The purpose of this statement is to provide the criteria used by the employer to differentiate among employees with regard to pay who are in the same occupation with similar experience and qualifications.

H-1B Employee's Name: _____
 Hiring Department: _____
 Position Title: _____
 Salary Offered: \$_____ per _____

Is the position unique, in that there are no other employees in the university with the same or similar job title and basic duties? Yes No (if no, please proceed below)

If yes, please provide specific, employment-related reasons why the position is unique and therefore the actual wage rate is that paid to the H-1B employee:

There are _____ employees within the department at this time with the same job title and similar duties/responsibilities.

The salary range for these employees is \$_____ to \$_____ per year.

The following criteria are used to determine the salary of the individuals in these positions:

- Experience
- Education
- Job Responsibilities and Function
- Specialized Knowledge
- Other Legitimate Business-Related Factors, meaning those that it is reasonable to conclude are necessary because they conform to recognized principles or can be demonstrated by accepted rules and standards.

Please attach any applicable documentation as to how salaries are set.

ID #	Job Classification	Salary	Education	Years of Experience	Job Responsibilities/Function	Specialized Knowledge	Other

I hereby certify that the offered salary above reflects the wage level paid to all other individuals with similar experience and qualifications working in this department. If required to do so, I will provide documentation, including payroll records of similarly employed individuals within the department.

Name of Department Head (please print)

Signature of Department Head

Date

Source: Adapted from Winston-Salem University & University of Delaware